

and the labels of the repackaged drugs failed to bear the name and quantity or proportion of such derivative and, in juxtaposition therewith, the statement "Warning—May be habit forming."

Further misbranding, Section 502 (f) (1), the cartons and envelopes into which the drugs had been repacked bore no labeling containing directions for use; and, Section 502 (f) (2), the carton and envelopes containing the drugs bore no labeling containing warnings against use in those pathological conditions where their use may be dangerous to health and against unsafe dosage and duration of administration.

DISPOSITION: A plea of not guilty having been entered, the case came on for trial before the court on March 9, 1949. At the conclusion of the testimony, the court found the defendant guilty, and on March 23, 1949, imposed a fine of \$175, plus costs.

2653. Misbranding of Sanagan Agermo disinfectant. U. S. v. 4 Cans * * *.
(F. D. C. No. 25852. Sample No. 10582-K.)

LIBEL FILED: October 15, 1948, Southern District of New York.

ALLEGED SHIPMENT: From Laboratories Agermo, Barcelona, Spain, arriving in New York, N. Y., on or about August 10, 1947.

PRODUCT: 4 cans, each containing 1 gallon, of *Sanagan Agermo disinfectant* at New York, N. Y. The invoice stated that the product contained copper sulfate, zinc sulfate, calcium sulfate, formol, sodium chloride, gentian extract, sodium salicylate, and water. The Alcon Export Corp., which was in possession of the product at New York, mailed to prospective purchasers a leaflet in which the product was offered to prevent and check epidemics, especially hoof-and-mouth disease. It was also offered as a safeguard and treatment of cattle against any type of contagious disease.

NATURE OF CHARGE: Misbranding, Section 502 (f) (1), the labeling of the article failed to bear adequate directions for use for the purposes for which it was intended, namely, to prevent and check epidemics, especially hoof-and-mouth disease, and as a safeguard and treatment of cattle against any type of contagious disease.

DISPOSITION: January 19, 1949. Default decree of condemnation and destruction.

DRUGS ACTIONABLE BECAUSE OF THE PRESENCE OF NONCERTIFIED COAL-TAR COLORS

2654. Adulteration and misbranding of Premo Vasodrine Solution of Epinephrine Hydrochloride and adulteration of Premo-Rub Liniment and Premo Elixir Preminal. U. S. v. Premo Pharmaceutical Laboratories, Inc., and Theodore A. Blackman. Pleas of not guilty. Tried to the court. Verdict of guilty against corporation on all 6 counts of information; verdict of guilty against individual on 5 counts of information; and verdict of not guilty against individual on count 6 relating to Premo Elixir Preminal. (F. D. C. No. 16594. Sample Nos. 78198-F, 120-H, 121-H, 22314-H.)

INFORMATION FILED: October 21, 1947, Southern District of New York, against the Premo Pharmaceutical Laboratories, Inc., New York, N. Y., and Theodore A. Blackman, president and treasurer of the corporation.

ALLEGED SHIPMENT: On or about October 23, 1944, and January 15, March 15, and April 4, 1945, from the State of New York into the States of Missouri, Pennsylvania, and Florida.

NATURE OF CHARGE: *Premo Vasodrine Solution of Epinephrine Hydrochloride.* Adulteration, Section 501 (b), the article purported to be and was represented as "Solution of Epinephrine Hydrochloride," a drug the name of which is recognized in the United States Pharmacopoeia, an official compendium, and its strength differed from and its quality fell below the official standard since the drug had a potency ranging from 27 percent to 56 percent of the potency required by the United States Pharmacopoeia; and its difference in strength and quality from the official standard was not stated on the label. Misbranding, Section 502 (a), the label statement "Solution of Epinephrine Hydrochloride U. S. P. 1-1000" was false and misleading since it represented and suggested that the article consisted of Solution of Epinephrine Hydrochloride which conformed with the requirements of the United States Pharmacopoeia, and that it possessed a potency equivalent to that possessed by a solution containing 1 gram of U. S. P. Epinephrine Reference Standard in each 1,000 cc. The article did not conform with the requirements of the Pharmacopoeia for "Solution of Epinephrine Hydrochloride," and it possessed a potency equivalent to less than that represented.

Premo-Rub Liniment. Adulteration, Section 501(a)(4), the article contained for purposes of coloring only a coal-tar color, Butter Yellow, which color had not been listed for use in drugs in accordance with the regulations and was other than one from a batch that had been certified.

Premo Elixir Preminal. Adulteration, Section 501(a)(4), the article contained for purposes of coloring only a coal-tar color, Methyl Violet, which color had not been listed for use in drugs in accordance with the regulations and was other than one from a batch that had been certified.

DISPOSITION: Pleas of not guilty having been entered, the case came on for trial before the court on March 14, 1949. At the conclusion of the trial on March 17, 1949, the corporation was found guilty on all 6 counts of the information and was fined \$1,200. The individual was found guilty on 5 counts of the information and not guilty on count 6 relating to the *Premo Elixir Preminal*, and he was fined \$500.

2655. Adulteration of Cornocide (corn remedy). U. S. v. Denver Pharmaceutical Mfg. Co., Inc., and Samuel Garber, David Kaplan, and Samuel Sherman. Pleas of guilty. Fines of \$600 against corporation, \$50 each against defendants Garber and Kaplan, and \$20 against defendant Sherman. (F. D. C. No. 21471. Sample Nos. 8580-H, 8581-H.)

INFORMATION FILED: September 17, 1948, Eastern District of New York, against the Denver Pharmaceutical Mfg. Co., Inc., Long Island City, N. Y., and against Samuel Garber, president, David Kaplan, treasurer, and Samuel Sherman, secretary.

ALLEGED SHIPMENT: On or about May 23, 1946, from the State of New York into the State of New Jersey.

NATURE OF CHARGE: Adulteration, Section 501 (a) (4), the article contained, for purposes of coloring only, coal-tar colors, Butter Yellow (Colour Index No. 19) and Sudan IV (Colour Index No. 258), which had not been listed for